

ARTICLE 6. PLANNED DEVELOPMENT

Sec. 13-55. PURPOSE

It is the purpose and intent of this article to:

- (a) Provide a method by which appropriately located areas of the City can be developed utilizing more imaginative and innovative planning concepts than would be possible through strict application of existing zoning and subdivision regulations. It is intended that these developments will meet the broader goals of the General Plan and Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures, and protection of the integrity of neighboring development.
- (b) Furthermore, it is the intention of the City to provide a more efficient use of land, additional alternative environments and the allocation and maintenance of more privately controlled and usable open space.

Sec. 13-56. MASTER PLAN REQUIRED

All development proposed in the Planned Development districts requires approval of a master plan pursuant to CHAPTER III PLANNING APPLICATIONS. The final review authority for the master plan shall be the Planning Commission.

- (a) **Preliminary master plan.** At the applicant's option, a preliminary master plan may be processed in advance of the master plan pursuant to CHAPTER III PLANNING APPLICATIONS. The purpose of the preliminary master plan shall be to determine the general location, type, and intensities of uses proposed in large scale planned developments prior to the preparation and submittal of more detailed development plans. Preliminary master plans may also be used as the conceptual plan for long-term or phased planned developments

Upon approval of the preliminary master plan, development plans for individual components or phases of the planned development shall be required and shall be processed according to the provisions for master plans in CHAPTER III PLANNING APPLICATIONS. The subsequent plans shall be consistent with the parameters and general allocation and intensity of uses of the approved preliminary master plan. At the time of approval of the preliminary master plan, the Planning Commission may determine that subsequent development plans may be approved by the Zoning Administrator. In such cases, development plans will be forwarded by the Zoning Administrator, upon an appeal filed pursuant to TITLE 2, CHAPTER IX APPEAL, REHEARING AND REVIEW PROCEDURE, or upon motion by the Planning Commission or City Council.

- (b) **Amendments to the master plan.**

- (1) Minor changes: Minor changes in the location, siting, or character of buildings and structures may be authorized by the Planning Division if required by engineering specifications or other circumstances not foreseen at the time the master plan was approved. No change authorized under this section may cause any of the following:
 - a. A change in the use or character of the development;
 - b. An increase in the overall density of the development;
 - c. An increase in overall coverage of structures;
 - d. A reduction or change in character of approved open space;
 - e. A reduction of required off-street parking;
 - f. A detrimental alteration to the pedestrian, vehicular and bicycle circulation and utility networks;
 - g. A reduction in required street pavement widths.

- (2) Major amendments. Substantial amendments to the master plan encompassing one or more of the minor changes listed in subparagraphs (1a) through (1g), or any other proposed change determined by the Development Services Director as a major amendment, shall be subject to review and approval by the Zoning Administrator. Furthermore, if the major amendment results in an overall building square footage that exceeds the maximum density or building square footage allowed by the approved master plan, the Zoning Administrator must find that the major amendment is consistent with the density, floor area ratio, and trip budget standards established by the General Plan, as applicable.
- (c) **Minor additions in an existing planned development.**
- (1) Residential buildings – single-story additions. Minor single-story additions to existing residential buildings not meeting the criteria below may be approved by minor modification if the Planning Division finds that the proposed construction does not materially affect the required open space, site coverage, or parking of the planned development.
- a. Unenclosed patio covers. Unenclosed patio covers in planned development residential zones, which meet the following setback criteria may be approved by the Planning Division:
- Side setback- 5 feet or equivalent to main structure, whichever is less.
 - Rear setback- 10 feet or 5 feet for small lot developments.
- b. Enclosed Patios and room additions. Enclosed patios and room additions may be permitted pursuant to the parameters for such additions established in the master plan. In cases where the master plan does not include criteria for future enclosed patios and/or room additions, the addition may be permitted if the required open space percentage is met on the affected lot and the addition meets the setbacks established for patio covers with the exception of small lot developments for which the setback standards established in Table 13-58 shall be applied.
- (2) Residential buildings- second-story additions. In cases where the master plan does not include criteria for future second-story additions, the Planning Division may approve any proposed second-story addition that meets the setback standards established in subsection (1) and all of the following criteria. Any second-story addition that does not meet all of the following criteria will be subject to minor design review.
- Results in a second-story floor area that does not exceed 50% of the first-story floor area;
 - Complies with residential design guidelines adopted by the City Council; and
 - Does not materially affect the required open space, site coverage, or parking of the planned development.
- (3) Non-residential buildings. Minor additions to existing non-residential buildings may be approved by development review if the Planning Division finds that the proposed construction does not materially affect required open space, floor area ratio, and parking requirements specified in the approved master plan. Furthermore, if the minor addition results in an overall building square footage that exceeds the maximum building square footage allowed by the approved master plan, the Planning Division must find that the minor addition is consistent with the floor area ratio and trip budget standards established by the General Plan, as applicable.

Sec. 13-57. SITE DESIGN CONCEPT

A variety of building products are encouraged in the design of projects in the Planned Development zones, thereby maximizing project excellence. Complementary uses, as appropriate, are also encouraged.

(a) Planned Development Residential.

- (1) Within the low-density zone: Small-lot, single-family detached residential developments including clustered development, zero lot line development and conventional development are appropriate.
- (2) Within the medium density, high density, and north Costa Mesa zones: Single-and multiple-family residential developments containing any type or mixture of housing units, either attached or detached, including but not limited to, clustered development, townhouses, patio homes, detached houses, duplexes, garden apartments, and high rise apartments or common interest developments are appropriate.
- (3) As a complementary use, nonresidential use of a religious, educational, or recreational nature may be allowed if the Planning Commission finds the use to be compatible with the Planned Development residential project.
- (4) As a complementary use in the PDR-MD, PDR-HD and PDR-NCM zones, nonresidential uses of a commercial nature may be allowed if the Planning Commission finds the uses to be compatible with the Planned Development Residential project and if the FAR does not exceed that established for the Neighborhood Commercial General Plan land use designation.

(b) Planned Development Commercial.

- (1) Retail shops, offices and service establishments, including but not limited to, hotels, restaurants, theaters, museums, financial institutions and health clubs are appropriate. These uses are intended to serve adjacent residential areas, as well as the entire community and region.
- (2) As complementary uses, residential (density maximum of 20 dwelling units per acre) and industrial uses as well as other commercial and noncommercial uses of a similar or supportive nature to the uses noted in this subsection may be allowed if the Planning Commission approves the uses as compatible with the Planned Development Commercial project based on compatible uses listed in the General Plan for the applicable land use designation subject to FAR limits. For the 1901 Newport Plaza property, a site-specific FAR of 0.70 for the commercial component and site-specific density of 40 dwelling units per acre for the residential component were established for 1901 Newport Boulevard pursuant to General Plan amendment GP-02-04.

(c) Planned Development Industrial.

- (1) Large industrial developments with ample open space and landscaping typifies projects in this district.
- (2) As complementary uses, nonindustrial uses of a commercial nature or residential nature (density maximum of 20 dwelling units per acre) may be allowed if the Planning Commission finds the uses to be compatible with the Planned Development Industrial project based on compatible uses listed in the General Plan for the applicable land use designation subject to FAR limits.

Sec. 13-58. DEVELOPMENT STANDARDS

Table 13-58 identifies development standards in the planned development zones. See also ARTICLE 9 GENERAL SITE IMPROVEMENT STANDARDS of this chapter for additional requirements.

Sec. 13-59. MAXIMUM DENSITY CRITERIA

- (a) The provision of affordable housing shall be necessary to reach the maximum density for the North Costa Mesa residential district.
- (b) Density increments up to the maximum shown in Table 13-58 may be approved in order to provide an incentive for design excellence. Criteria for density increments include, but shall not be limited to, the following (except that criteria (6) through (10) shall not apply to small-lot, single-family development):
 - (1) Preservation of natural features that enhance the development and will benefit the community (including trees, scenic points, view corridors, historic buildings or locations, unique geological formations and other community assets).
 - (2) Provision of distinctive design, including site planning, structural design, architectural treatments, landscaping and integration into the community.
 - (3) Provision of usable open space in excess of the required amount.
 - (4) Enlargement of the required perimeter open space.
 - (5) Utilization of non-depletable energy sources for water heating and/or space heating.
 - (6) Provision of low and moderate income housing as a portion of the total development.
 - (7) Provision of all or part of the required parking within the principal structure(s) (i.e., subterranean, tuck under, etc.).
 - (8) Provision of facilities for the storage of recreational vehicles.
 - (9) Provision in the project's circulation system for the separation of pedestrian, vehicular and bicycle traffic through the inclusion of bicycle and pedestrian trails that link with citywide networks.
 - (10) Project location is adjacent to or within ¼ mile of a public transit facility or route.

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**TABLE 13-58
PLANNED DEVELOPMENT STANDARDS**

DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
Maximum Density per Section 13-59 MAXIMUM DENSITY CRITERIA (dwelling units per acre)	8	12	20	35	20 Note: The maximum density for 1901 Newport Boulevard is 40 dwelling units per acre.	
Density in Mixed Use Projects	The density of the residential component of a mixed use Planned Development shall be calculated by dividing the total number of dwelling units proposed by that portion of the total site area ¹ devoted to residential uses, including required parking, landscaping, open space, and driveways to serve the residential component. The density permitted within the residential component shall be determined by the criteria established in Section 13-59 MAXIMUM DENSITY CRITERIA.					
Maximum Site Coverage ² NOTE: Site coverage of multi-story projects with integrated parking structures shall be based upon the usable floor area at the street or grade level, exclusive of parking areas, driveways, plazas, courtyards or pedestrian walkways.	Not applicable				30% outside the Downtown Redevelopment Project Area 35% within the Downtown Redevelopment Project Area	50%
Perimeter Open Space per Section 13-61 PERIMETER OPEN SPACE CRITERIA.	20 feet abutting all public rights-of-way, excluding alleys (may be reduced in the PDC and PDR-NCM zones pursuant to Section 13-61 PERIMETER OPEN SPACE CRITERIA)					
Open Space	45% of total site area ¹ , inclusive of Perimeter Open Space. See Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL.		42% of total site area ¹ , inclusive of Perimeter Open Space. See Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL.		See Perimeter Open Space and CHAPTER VI PARKING.	
Bluff-top Setback.	No building or structure closer than 10 feet from bluff crest (see Section 13-62(h) ADDITIONAL DEVELOPMENT STANDARDS).					
Minimum Development Lot Area required for a rezone	1 acre					
Maximum Floor Area Ratio	Refer to CHAPTER V, ARTICLE 8 FLOOR AREA RATIOS.					
PARKING (See Chapter VI).						
LANDSCAPING (See Chapter VII).						
SIGNS (See Chapter VIII).						

¹ Site area is defined as the area equal to the original lot size, less the area occupied by adjacent dedicated streets.

² Site coverage is defined as that portion of the site area within planned development commercial and industrial projects occupied by buildings. Site coverage shall not include parking structures, surface parking lots, driveways, plazas, courtyards or sidewalks.

TABLE 13-58 (CONTINUED)						
PLANNED DEVELOPMENT STANDARDS						
DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
PROJECTIONS (Maximum depth of projections given)						
Roof or Eaves Overhang: Awning	2 feet 6 inches into required side setback or building separation area. 5 feet into required front or rear setback.					
Open, unenclosed stairways.	2 feet 6 inches into required setback area.					
Chimneys	2 feet above maximum building height.					
Fireplaces	2 feet into required setback or building separation area					
ADDITIONAL DEVELOPMENT STANDARDS						
Uses Underroof	All nonresidential uses shall be conducted underroof except as allowed by a minor conditional use permit or as permitted elsewhere in this Zoning Code. Exceptions include sidewalk sales and parking lot sales which are allowed on the basis of a maximum of 4 sales per fiscal year with a maximum length of 3 days per sale and subject to obtaining a business permit.					
Outdoor Storage (incidental to main use)	Permitted in non-residential areas of a planned development when: Storage does not interfere with required parking or vehicular access; storage is not in required setback area abutting a public right-of-way; storage does not decrease required landscaping; storage is completely screened from view from street or adjacent properties; and storage complies with all applicable codes and regulations including, but not limited to, the Uniform Fire Code. Shipping containers shall also comply with setback requirements for structures, floor area ratio standards, and parking requirements. A permanent foundations shall be required for shipping containers. Storage not meeting these criteria requires approval of a minor conditional use permit.					
Master Plan Required	Yes. Preliminary master plan is optional pursuant to Section 13-56(a).					
Common Interest Developments	Permitted. Refer to CHAPTER V, ARTICLE 2, COMMON INTEREST DEVELOPMENTS. In any instance where the development standards in CHAPTER V, ARTICLE 2 conflict with the development standards in this article, the development standards in this article shall take precedence.					
SMALL LOT RESIDENTIAL PROJECTS						
Minimum Lot Size	5,000 square feet with an overall average of 5,500 square feet.	3,000 square feet with an overall average of 3,500 square feet.	Not applicable.			
	The required perimeter open space and any common lot shall not be included in the calculation of lot size. Note: Lot sizes may be reduced proportionately if other useable open space is provided within the overall development.					
Minimum Lot Width	40 feet					
Maximum Number of Stories & Building Height	2 stories/27 feet Note: Lots, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below					

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TABLE 13-58 (CONTINUED) PLANNED DEVELOPMENT STANDARDS						
DEVELOPMENT STANDARD	PDR-LD	PDR-MD	PDR-HD	PDR-NCM	PDC	PDI
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets or operable windows. Attics above second stories shall be an integral part of the second story roofline and not appear as a 3 rd story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.					
Private Open Space for Individual Dwelling Unit Lots	40% overall, with a minimum 400 square-foot area with no dimension less than 15 feet.					
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs.	Roof-top location is prohibited.					
Minimum Front Setback for Individual Dwelling Unit Lots	5 feet <i>Exception.</i> If a sidewalk is provided along the front of the lot, the garage shall be setback less than 9 feet or more than 23 feet from the face of the street curb. If a sidewalk is not provided along the front of the lot, the garage shall be either setback 5 feet or more than 19 feet from the face of the street curb.					
Minimum Side Setback for Individual Dwelling Unit Lots	0 feet on one side; 10 feet combination of both sides					
Minimum Rear Setback for Individual Dwelling Unit Lots	5 feet					
2-car garage required	Yes					
Automatic Garage Door Opener	Required - if garage is setback less than 9 feet from the face of the street curb.					
Pools and Spas	Above-ground pools and spas shall not be located in the required front yard setback from a public street and are subject to 5-foot side and rear yard setbacks for main structures. Additional setbacks may be applicable pursuant to building code requirements.					

Sec. 13-60. REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL

- (a) The required open space shall be land areas that are not occupied by buildings, structures, parking areas, driveways, streets or alleys. Landscaped roof areas or decks may not be calculated as part of the required open space. The open space shall be devoted to landscaping, preservation of natural features, patios and recreational areas and facilities.
- (b) At least 50 percent of the required open space shall be designed for the common use of the residents of the Planned Development, except for small lot, single family development. In projects consisting of small-lot single-family common interest developments resulting in fewer than 12 units, the required perimeter landscape buffer required in Table 13-58 shall be the only open space required to be designed for common use. Additional common open space may be provided in the interior of such projects if such open space enhances the overall project design. The remaining required open space shall be equally provided to each dwelling unit.
- (c) In projects consisting of small-lot, single-family subdivisions resulting in 12 or more units, the required open space shall consist of the perimeter landscape buffer required in Table 13 58 and a common recreational open space area in the interior of the project to provide recreational facilities for children.
- (d) Common open space may be distributed throughout the Planned Development and need not be in a single large area.
- (e) All or part of the area required may be provided in the common open space for multiple-story apartments or common interest developments where dwelling units have no ground floor access, or where for other reasons the Planning Commission finds that the provision of all or part of the required private open space in the aforementioned manner is impractical or undesirable. In such cases, each dwelling unit above the first floor shall be provided with patio or deck area of not less than one 100 square feet. The required area may be provided in one or more patios or decks. In such cases, each dwelling unit shall be provided with a private patio or deck with no dimension less than 5 feet.
- (f) Landscape parkways with a combined width of 10 feet, but not less than 3 feet on one side, shall be provided along the sides of interior private streets and/or common driveways. The parkway on the house side of private streets or common driveways shall be a minimum of 5 feet in width.

Sec. 13-61. PERIMETER OPEN SPACE CRITERIA

This area shall be kept free of buildings and structures and permanently maintained in landscaping. If the design of this buffer area enhances the overall development plan and is readily accessible to the residents of the planned development, it may be included as partial fulfillment of the common open space requirements listed in Section 13-60 REQUIRED OPEN SPACE CRITERIA FOR PLANNED DEVELOPMENT RESIDENTIAL.

Exceptions:

- (a) In Planned Development Commercial and Planned Development Residential-North Costa Mesa districts, the required perimeter open space may include, in addition to landscaping, architectural features (such as arcades, awnings, and canopies) and hardscape features (such as paving, patios, planters, and street furniture) if the Planning Commission determines that:
 - (1) These other features provide usable, visually interesting pedestrian amenities and facilitate pedestrian circulation.
 - (2) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the General Plan, applicable specific plan, and/or Redevelopment Plan.
 - (3) Adequate landscaping is retained to shade the outdoor use areas and to complement the architecture and the design of buildings and pedestrian areas; and

- (4) The design of the perimeter setback area will be compatible with contiguous development.
- (b) In Planned Development Commercial and Planned Development Residential-North Costa Mesa districts, buildings may encroach into the required perimeter open space if the Planning Commission determines that:
 - (1) An adequate, well-defined pedestrian circulation system is provided within the planned development;
 - (2) Pedestrian oriented landscaped and/or public use areas (plazas, patios, etc.) are provided within the planned development;
 - (3) The reduced open space area will not be detrimental to developments on contiguous properties;
 - (4) The reduced building setback will not deprive the street nor other properties of necessary light and air; and
 - (5) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the City's General Plan, applicable specific plan and/or Redevelopment Plan.

Sec. 13-62. ADDITIONAL DEVELOPMENT STANDARDS

(a) Maintenance of common facilities.

- (1) A planned development shall be approved subject to the submission of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space, recreational vehicle storage areas, and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the City Attorney as to legal form and effect, and the Planning Division as to suitability for the proposed use of the common space and subject facilities.

The declaration of covenants shall contain language or provisions substantially as follows:

- a. "The covenants, conditions and restrictions of this declaration shall run to the City of Costa Mesa insofar as they shall apply to the maintenance of the "common areas" as herein defined."
- b. "In the event the association or other legally responsible person(s) fail to maintain the common area in such manner as to cause same to constitute a public nuisance, the City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon the common area, individual units or the whole thereof as provided by law."
- (2) The common open space, recreational vehicle storage areas and other facilities provided may be conveyed to a public agency or private association. If the common open space, recreational vehicle storage areas or recreational facilities are conveyed to a private association, the developer shall file as part of the aforementioned instruments a declaration of covenants and restrictions that will govern the association. The provisions shall include, but not be limited to the following:
 - a. The private association must be established prior to sale of any unit(s).

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- b. Membership must be mandatory for the original buyer and any successive buyer.
 - c. The private association must be responsible for liability insurance, local taxes (if any) and the maintenance of common open space, recreational vehicle storage areas and other facilities.
 - d. Each member of the association shall be assessed a pro rata share of the costs incurred by the association.
 - e. The private association must be able to adjust any assessments to meet changed needs.
- (3) The Planning Commission may also require dedication of development rights or scenic easements to assure that common open space shall be maintained.

(b) Traffic circulation.

- (1) Primary vehicular access points to the planned development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian and bicycle traffic. Minor streets within the planned development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic.
- (2) Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths that are physically separated from vehicular traffic to serve residential, nonresidential and recreational facilities provided in or adjacent to the planned development. Where designated bicycle paths or trails exist adjacent to the planned development, safe, convenient access shall be provided. The Planning Commission may require, when necessary, pedestrian and/or bicycle overpasses, underpasses or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas or other uses that may generate considerable pedestrian and/or bicycle traffic.

(c) Streets.

- (1) The design of public and private streets within a planned development shall reflect the nature and function of the street. Existing City standards of design and construction may be modified only as is deemed appropriate by the Planning Commission after recommendation by the City Engineer, Planning Division, Fire Chief and Police Chief. Right-of-way, pavement and street widths may only be reduced by the Planning Commission where it is found that the final master plan for the planned development provides for the separation of vehicular and pedestrian traffic; that access for public safety and service vehicles is not impaired; and that adequate off-street parking has been provided.
- (2) All private streets within a planned development shall be dedicated to the City as utility easements where the easements are necessary.
- (3) All private streets shall be conveyed to a private association where one exists as established by subsection (a).

- (4) If the private association or person(s) owning the private streets in a planned development should in the future request that any private streets be changed to public streets, the private association or owner(s) shall agree that before consideration for acceptance by the City the private association or owner(s) will bear the full costs of reconstruction of any other action necessary to make the streets conform to the applicable standards for public streets. The private association or owner(s) shall also agree that these streets shall be made to conform and be dedicated to public use without compensation to the private association or owner(s).

(d) Parking.

- (1) Parking shall be provided per CHAPTER VI OFF-STREET PARKING STANDARDS. In addition, the Planning Commission may determine that storage areas for boats, trailers, campers and other recreational vehicles shall be required, where the necessity for such facilities has been demonstrated and where such facilities will preserve the required off-street parking for the use of automobiles.
- (2) Parking areas, covered or open, in any planned development shall be screened from view from any public right-of-way. (Exception: single-family, small lot subdivisions.)

(e) Development standards for mixed use planned developments.

- (1) Nonresidential development in Planned Development Residential districts shall comply with the following criteria:
 - a. Commercial components of Planned Development Residential projects shall comply with the permitted uses, site coverage and parking requirements of the Planned Development Commercial district.
 - b. Commercial development within a planned development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street. Location, off-street parking and loading requirements shall be determined as appropriate to the particular planned development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic, adjacent development that may provide multiple use of off-street parking facilities and the types of commercial use provided.
 - c. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics and lighting shall be designed as integrated portions of the total planned development and shall protect the residential character.
- (2) Complementary residential and industrial uses within the Planned Development Commercial district shall comply with the permitted uses, density or site coverage, and parking requirements of the Planned Development Residential and Planned Development Industrial districts.
- (3) Complementary commercial and residential uses within the Planned Development Industrial district shall comply with the permitted uses, site coverage or density, and parking requirements of the Planned Development Commercial and the Planned Development Residential districts.

(f) Building spacing, setback, yard and building height requirements.

- (1) Each planned development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping and sound reducing construction techniques shall be used as appropriate for the aesthetic enhancement of property and the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
- (2) Unless otherwise noted in this article, no specific yard, setbacks or building height requirements shall be imposed in the planned development district, except as provided in the master plan; provided, that the spirit and intent of this section and the Planned Development ordinance are met.

- (g) **Noise attenuation.** When, in the opinion of the Planning Division, a proposed Planned Development may be situated in a noise environment which will adversely affect future residents, an acoustical analysis shall be required. An acoustical evaluation of the working drawings of the proposed residential project shall be submitted to the Planning Division by a licensed acoustical engineer prior to the issuance of building permits. The engineer shall certify that the construction will reduce residential interior noise levels to 45 CNEL or less and residential exterior noise levels in common and private open space areas to 65 CNEL or less. Building occupancy will be granted upon submittal of a field test report from a licensed acoustical engineer certifying that the above standards have been met. The method of field testing shall be approved by the Planning Division.
- (h) **Bluff-top setback.** No building or structure shall be constructed closer than 10 feet from a bluff crest, unless it is determined that the building or structure will not:
- (1) Endanger stability of the slope;
 - (2) Substantially interfere with access for fire protection; and
 - (3) Detract from the visual identity and integrity of the bluffs.

Sec. 13-63. PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the master plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction.